

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

GEORGE IVERSON, Individually,

CIVIL ACTION NO.:  
04-cv-11835-JLT-MBB

Plaintiff,

v.

MANFELD HOTEL ENTERPRISES LIMITED  
PARTNERSHIP, a Massachusetts Limited Partnership,

Defendant.

\_\_\_\_\_/

**PLAINTIFF'S MOTION TO COMPEL ANSWERS TO INTERROGATORIES  
AND COMPLIANCE WITH REQUESTS FOR PRODUCTION**

Plaintiff, George Iverson, Individually, by and through his undersigned attorneys, pursuant to the provisions of Rule 37 of the Federal Rules of Civil Procedure, moves this Court to compel the Defendant, Manfeld Hotel Enterprises Limited Partnership, a Massachusetts Limited Partnership, to answer Plaintiff's First Set of Interrogatories and to produce documents pursuant to Plaintiff's First Requests for Production. Copies of both discovery documents are attached hereto as A and B respectively. In support of the Motion, Plaintiff states:

1. On April 5, 2005, this Court issued an Order holding that all Discovery shall be stayed for 60 days, and no further discovery will be permitted without leave of this Court.
2. On September 12, 2005, this Court issued an Order stating that all Discovery will be completed by November 30, 2005.
3. On October 11, 2005, Plaintiff served the attached Interrogatories

and Requests for Production upon the Defendants.

4. Defendant has neither objected to nor complied to the Discovery propounded as to this date.

**CERTIFICATE OF GOOD FAITH**

5. John Fuller, of the Law Firm of Fuller, Fuller & Associates, P.A., the lead counsel for the Plaintiff has discussed this matter several times with Defendant's counsel, Ron Allen of the Law Firm of Morgan, Brown & Joy, L.L.P., who claims that he is working with his client to provide the requested information.

**MEMORANDUM OF LAW**

Because the Requests for Production and Interrogatories were not objected to or responded to, and are within the contemplation of Rule 37 of the Federal Rules of Civil Procedure, the Court should grant the relief requested herein, particularly since the matter is scheduled for trial for the trial period beginning January 23, 2006.

WHEREFORE, Plaintiff requests this Court enter an Order compelling the Defendant to comply with the outstanding discovery requests of the Plaintiff, and any further relief this Court deems necessary and proper.

Respectfully Submitted,

*The Plaintiff by his Attorneys*  
Jay M. Rosen, Esq.  
SCHLOSSBERG & ASSOCIATES, P.C.  
35 Braintree Hill, Suite 303  
Braintree, MA 02185

And  
John P. Fuller, Esq.  
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FFA@fullerfuller.com

By:           /s/ John P. Fuller            
John P. Fuller, Esq. Pro Hac Vice

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was e-filed and e-mailed on November 22, 2005 to:

rallen@morganbrown.com  
Ronald S. Allen, Esq.  
Morgan Brown & Joy  
1 Boston Place, Suite 1616  
Boston, MA 02108

By: /s/ John P. Fuller  
John P. Fuller, Esq. Pro Hac Vice

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**ORDER ON**  
**PLAINTIFF'S MOTION TO COMPEL ANSWERS TO INTERROGATORIES**  
**AND COMPLIANCE WITH REQUESTS FOR PRODUCTION**

THIS CAUSE having come on to be heard before me on Plaintiff's Motion to Compel, and the Court being fully advised in the premises, it is hereby ordered and adjudged as follows:

1. Plaintiff's Motion to Compel Defendants' to Answer Interrogatories and Comply with Requests for Production, is granted.
2. Defendants' shall have ten (10) days from the date of this Order in which to answer the Interrogatories and comply with the Requests for Production.

**DONE and ORDERED** in Chambers at \_\_\_\_\_ on this \_\_\_\_\_ day  
of \_\_\_\_\_, 2005.

\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE

***Copies furnished to:***  
***John P. Fuller, Esq.***  
***Jay M. Rosen, Esq.***